

Matthew Cyr

From: Matthew Cyr
Sent: Tuesday, June 8, 2021 5:19 PM
To: Matthew Cyr
Subject: FW: Case No. SUP 21-009

From: Julie Smith
Sent: Tuesday, June 8, 2021 4:15 PM
To: 'tod@zadoksupply.com' <tod@zadoksupply.com>
Cc: 'sgilmartin74@yahoo.com' <sgilmartin74@yahoo.com>; 'michelle.gilmartin@verizon.net' <michelle.gilmartin@verizon.net>; 'richlaszarz@aol.com' <richlaszarz@aol.com>; Mark R. Hafner <mhafner@cityofkeller.com>; Sean Hicks <shicks@cityofkeller.com>; Armin Mizani <amizani@cityofkeller.com>; Tami Smith <tsmith@cmamanagement.com>; Alonzo Liñán <alinan@cityofkeller.com>; Chad Bartee <cbartee@cityofkeller.com>; Rick Hardcopf <rhardcopf@cityofkeller.com>; Johnny Reyes <jreyes@cityofkeller.com>; Melinda Hernandez <mhernandez@cityofkeller.com>
Subject: Case No. SUP 21-009

Todd-

Several of us received different emails with different information from you Friday, and I wanted to make sure everyone had the same information so we may respond to your concerns.

As we discussed a couple of weeks ago, the SUP request is for a property to the southwest of your home (640 Bancroft). Though the property owner is a vet, they do not have goats nor are they located directly behind you. The property behind you, addressed as 630 Bancroft, does have goats. They are the ones that built a barn in October 2019 as I explained last time we talked.

The 640 Bancroft property is a flag lot and accessed by a narrow drive that does pass behind you at one point. The water flowing from this property flows southeast to the detention pond in Gene Estates via a drainage easement and not across your property (but for whatever may be coming across the access easement). Any construction at 640 Bancroft will not impact water flow across your property given the topography (unless they are working on the access easement). The existing barn at 640 Bancroft was built per SUP in 2018. This is the structure the owner (a vet) is requesting to expand. He does not have any goats but does have lambs and pigs. He is not a breeding operation, however. The barn and livestock are for his children to participate in FFA and 4H clubs; he is not using the barn as part of his veterinarian business.

I believe you are working with Alonzo Linan (our Public Works Director) regarding the drainage issues you are experiencing, so will let the two of you discuss that directly.

In terms of the concerns you have regarding the other neighbor's goats directly behind you, I have copied Johnny Reyes with Code Enforcement so that he can investigate. If there is a violation of any City codes, we will reach out to the owner and keep you apprised. Keller is, as you acknowledged in our phone conversation, proud of its agricultural roots and has quite a few small scale agricultural properties. I will say that as someone who boards a horse in another town, the flies and mosquitos have been especially bad this season across North Texas due to all the rain. Even properties fully meeting City code are struggling with both flies and mosquitos. If there are violations, however, we will let you know.

Please let me know if you or any of your neighbors have any more questions we may be able to answer.

Thanks so much!

Julie

Julie Smith

Community Development Director

City of Keller, Texas

817-743-4127

jsmith@cityofkeller.com



Hi Matthew,

Ref: Case NO. SuP -21-009

How many livestock animals are allowed on 2.30 acres?

There are already about 12 Goats no more than 40 feet from my back fence.

They make noise throughout the day with more intensity that goes on and on in the late afternoon.

I have concerns with summer heat we will be infested with flies, smell and rodents. We have recently seen an increase in flies and wondering why, now we know.

Water dumping in our back yards from the above mentioned property will wash the goat manure into our yard.

Are they expanding the barn to a 3547 square ft barn on a little over 2 acres to put more live stock on the property?

The current barn he is wanting to expand was built last year and is not grandfathered in.

The livestock have not been there long. They were not there last year,

The resident is also a veterinarian, do you know is going to use this barn as an extension to his business and use it to hold animals or possibly sick animals in recovery.

With whom do I discuss all the water dumping and farm extension behind me as a continued concern.

The resident has made no effort to push the water back to the pond. After his road washed out, he place three large galvanized

drainage pipes to dump the water onto the residents behind him as the City is well aware of.

I believe the City of Keller could help with this water situation but does not want to spend the money.

I have lived in Keller 27 or 28 years. We consider Gean Estates a nice place to live and I'm all for maintaining the green bedroom type neighborhood but not

at the expense of homes starting in the 800,000 and which I would think bring a good tax base to the City.

Please forward this email to all City Counsel personal.

I recently looked up the City of Keller Ordinance in regards to live stock.

I did notice there are an estimated 12 goats on the property. How many are the allowed.

- **Sec. 3-240. - Public nuisances.**

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No person shall willfully or knowingly keep or harbor on his premises or elsewhere any animal, **livestock**, or fowl of any kind that makes or creates an unreasonable disturbance to the neighbors or the occupants of adjacent premises or persons living in the vicinity thereof. Unreasonable disturbance includes, but is not limited to, animal making or ***creating prolonged noises*** by howling, barking, ***bawling*** or otherwise. It shall create a presumption that a person has knowledge that the animal under their control is making or creating an unreasonable disturbance if such person shall have been notified by the Animal Control Officer or any peace officer of such disturbance and:

(a)

Failed or refused to correct such disturbance; or

(b)

Prevent its recurrence.

(1)

It shall be unlawful for any owner of any animal to maintain yards, pens, stables, sheds, coops, or other enclosures in which any animal is confined in ***such a manner as to give off odors offensive*** to persons of ordinary sensibilities residing in the vicinity, or to breed or attract flies, mosquitoes, or other noxious insects or rodents, or in any manner to ***endanger the public health***, safety or welfare, or to create a public nuisance. ***(Enhancing the habitat for rodents and flies)***

(2)

Manure and droppings shall be removed from pens, stables, yards, coops, and other enclosures regularly and handled or disposed of in such a manner as to keep the premises free of any nuisance.

(The water flow into our vard can allow dropping to wash into our vard creating flies and odor.)

(3)

Mound storage of droppings of manure between such removals shall be permitted, only under such conditions as to protect ***against the breeding of flies, rodents, and to prevent the migration of fly larvae (maggots) into the surrounding soil.***

(4)

The feeding of vegetables, meat scraps or garbage to **livestock** shall be done only in impervious containers or on an impervious platform.

(5)

Watering troughs or tanks shall be provided by the owner, which shall be equipped with adequate facilities for **draining the overflow** so as to prevent the breeding of flies, mosquitoes, or other insects.

(We are already having a water drainage issue)

(6)

No putrescible material shall be allowed to accumulate on the premises; and all such material used to feed which is **unconsumed shall be removed and disposed of by sanitary means.**

Who will be monitoring this.

(7)

It shall be unlawful for any person to maintain any animal which repeatedly trespasses on public property, attacks other animals, or causes damage to public or private property.

(8)

No person shall willfully or knowingly allow a stray animal to remain on their premises. Any person willfully or knowingly who feeds or waters stray animals, or in any way encourages a stray animal to remain on their property, shall be in violation of this chapter. All provisions of this chapter shall apply to that person.

(Ord. No. 1675, § 2, 1-7-14)

Thank You,

Tod Williams

Owner



Zadok Supply, LLC

P.O. Box Keller, TX 76244

800-582-5140 x 100

www.zadoksupply.com

Customer Service

Kelsey Trujillo x 107

From: Sean Gilmartin <sgilmartin74@yahoo.com>

Sent: Thursday, May 20, 2021 9:18 AM

To: mcyr@cityofkeller.com

Cc: Tod Williams <tod@zadoksupply.com>; Michelle Gilmartin <michelle.gilmartin@verizon.net>; Sean Gilmartin <sgilmartin74@yahoo.com>; Richard Lazarz <richlazarz@aol.com>

Subject: SUP- 21-0019 - Barn @ 640 Bancroft

Matthew -

Was nice speaking with you yesterday.

As I noted yesterday, the barn addition being proposed for 640 Bancroft raises a question for me about the water shed. I live at 908 Whirlaway and my neighbor to the south (906 Whirlaway) and I have an enormous amount of water run off

from both of the properties located at 630 & 640 Bancroft. I'm concerned about the add'l watershed this barn addition may introduce into our back yards.

I'd request that before any permits be approved for a barn expansion, a water runoff study be conducted. Any additional water run off onto our properties would jeopardize our properties to flooding and would be detrimental to our property values.

If you have any questions, please feel free to contact me.

Thank you,

Sean Gilmartin
908 Whirlaway Trl, Keller, TX 76248
(817)528-3466

[Sent from Yahoo Mail for iPad](#)